

**NINETIETH GENERAL ASSEMBLY
2024 REGULAR SESSION
DAILY
HOUSE CLIP SHEET
February 21, 2024**

Clip Sheet Summary

Displays all amendments, fiscal notes, and conference committee reports for previous day.

Bill	Amendment	Action	Sponsor
HF 2165	H-8027	Filed	M. THOMPSON of Wright
HF 2263	H-8028	Filed	LOHSE of Polk
HF 2402	H-8029	Filed	WILZ of Wapello
HF 2551	H-8030	Filed	MOMMSEN of Clinton
HF 2551	H-8032	Filed	BAGNIEWSKI of Polk
HF 2618	H-8031	Filed	STECKMAN of Cerro Gordo

Fiscal Notes

[HF 2248](#) — [Robbery, Statute of Limitations](#) (LSB5426HV)

[HF 2268](#) — [Medicaid, Refunds and Offsets](#) (LSB5556HV)

HOUSE FILE 2165

H-8027

- 1 Amend House File 2165 as follows:
- 2 1. Page 1, before line 1 by inserting:
- 3 <Section 1. Section 232.75, subsection 3, Code 2024, is
- 4 amended to read as follows:
- 5 3. A person who reports or causes to be reported to the
- 6 department false information regarding an alleged act of child
- 7 abuse, knowing that the information is false or that the act
- 8 did not occur, commits ~~a simple~~ an aggravated misdemeanor.>
- 9 2. Title page, line 2, after <entities> by inserting <and
- 10 false reports of alleged child abuse>
- 11 3. By renumbering as necessary.

By M. THOMPSON of Wright

H-8027 FILED FEBRUARY 20, 2024

HOUSE FILE 2263

H-8028

1 Amend House File 2263 as follows:

2 1. Page 2, after line 7 by inserting:

3 <Sec. _____. Section 523D.1, subsections 2, 3, 4, 8, and 9,
4 Code 2024, are amended to read as follows:

5 2. "*Continuing care*" means ~~housing together with~~ a continuum
6 of supportive services, home health services, nursing services,
7 medical services, or other health related services, furnished
8 to a resident, regardless of whether or not the lodging and
9 services are provided at the same location, together with
10 housing for residents that elect to live in a facility of
11 a provider, with or without other periodic charges, and
12 pursuant to one or more contracts effective for the life of the
13 resident or a period in excess of one year, including mutually
14 cancelable contracts, and in consideration of an entrance fee.

15 3. "*Continuing care retirement community*" means a facility or
16 program which provides continuing care to residents other than
17 residents related by consanguinity or affinity to the person
18 furnishing their care.

19 4. "*Entrance fee*" means an initial or deferred transfer to
20 a provider of a sum of money or other property made or promised
21 to be made as full or partial consideration for acceptance of
22 a specified individual ~~in~~ into a facility or a program if the
23 amount exceeds either of the following:

24 a. Five thousand dollars.

25 b. The sum of the regular periodic charges for six months
26 ~~of residency.~~

27 8. "*Provider*" means a person undertaking through a lease or
28 other type of agreement to provide care in or from a continuing
29 care retirement community or senior adult congregate living
30 facility, even if that person does not own the facility.

31 9. "*Resident*" means an individual, sixty years of age or
32 older, entitled to receive care ~~in~~ from a continuing care
33 retirement community or a senior adult congregate living
34 facility.

35 Sec. _____. Section 523D.1, Code 2024, is amended by adding

1 the following new subsection:

2 NEW SUBSECTION. 7A. "*Program*" means an organized set of
3 measures or activities undertaken by a provider to provide
4 continuing care services to an individual.

5 Sec. _____. Section 523D.2, Code 2024, is amended to read as
6 follows:

7 **523D.2 Application of chapter.**

8 This chapter applies to a provider who executes a contract
9 to provide continuing care or senior adult congregate living
10 services in a facility or program, or ~~extend~~ extends the term
11 of an existing contract to provide continuing care or senior
12 adult congregate living services in a facility or program, if
13 the contract requires or permits the payment of an entrance fee
14 to a person, and any of the following apply:

15 1. The facility or program is or will be located in this
16 state.

17 2. The provider or a person acting on the provider's behalf
18 solicits the contract within this state for a facility or
19 program located in this state and the person to be provided
20 with continuing care or senior adult congregate living services
21 under the contract resides within this state at the time of the
22 solicitation.

23 Sec. _____. Section 523D.2A, unnumbered paragraph 1, Code
24 2024, is amended to read as follows:

25 On or before March 1 of each year, a provider shall
26 file a certification with the commissioner in a manner and
27 according to requirements established by the commissioner. The
28 certification shall be accompanied by a one hundred dollar
29 administrative fee which fee shall be deposited as provided in
30 section 505.7. The certification shall attest that according
31 to the best knowledge and belief of the attesting party,
32 the facility or program administered by the provider is in
33 compliance with the provisions of this chapter, including
34 rules adopted by the commissioner or orders issued by the
35 commissioner as authorized under this chapter. The attesting

1 person may be any of the following:

2 Sec. _____. Section 523D.3, subsection 1, paragraph c,
3 unnumbered paragraph 1, Code 2024, is amended to read as
4 follows:

5 With respect to each person covered by paragraph "b", and
6 if the facility or program will be managed on a day-to-day
7 basis by a person identified pursuant to paragraph "b", or with
8 respect to the proposed manager, the following information:

9 Sec. _____. Section 523D.3, subsection 1, paragraphs f, h, and
10 k, Code 2024, are amended to read as follows:

11 *f.* The services provided or proposed to be provided under
12 contracts for continuing care or senior adult congregate living
13 services ~~at the facility~~, including the extent to which medical
14 care is furnished. The disclosure statement shall clearly
15 state which services are included in basic contracts and which
16 services are made available ~~at or by the facility~~ at extra
17 charge.

18 *h.* The provisions which have been made or will be made,
19 if any, to provide reserve funding or security to enable the
20 provider to fully perform its obligations under contracts to
21 provide continuing care or senior adult congregate living
22 services ~~at the facility~~, including the establishment of escrow
23 accounts, trusts, or reserve funds, together with the manner in
24 which the funds will be invested and the names and experience
25 of persons who will make the investment decisions.

26 *k.* Other material information concerning the facility,
27 program, or the provider required by the division of insurance
28 or which the provider wishes to include.

29 Sec. _____. Section 523D.6, subsection 1, paragraphs b, c, f,
30 g, h, j, k, m, and p, Code 2024, are amended to read as follows:

31 *b.* The name and address of the facility or facilities, or
32 of the program.

33 *c.* The If a prospective resident elects to reside in housing
34 at the facility of a provider, the identification of the living
35 unit which the prospective resident will occupy.

1 *f.* A statement of the policy of the facility or program with
2 regard to any health or financial conditions upon which the
3 provider may require the resident to relinquish the resident's
4 space in the designated facility or program.

5 *g.* A statement of the policy of the facility or program with
6 regard to the health and financial conditions required for a
7 person to continue as a resident or an enrollee in a program.

8 *h.* A statement of the policy of the facility or program with
9 regard to the conditions under which the resident is permitted
10 to remain in the facility or program in the event of financial
11 difficulties affecting the resident.

12 *j.* A statement of the policy of the facility or program
13 with regard to changes in accommodations and a description
14 of the procedures to be followed by the provider when the
15 provider temporarily or permanently changes the resident's
16 accommodations within the facility or program, transfers the
17 resident from one level of care to another, or transfers the
18 resident to another health facility or program.

19 *k.* A description in clear and understandable language, in at
20 least ten point type, of the terms governing the refund of any
21 portion of the entrance fee in the event of discharge by the
22 provider, or cancellation by the resident, and a statement that
23 the provider shall not dismiss or discharge a resident from
24 a facility or program prior to the expiration of a resident
25 contract without just cause and sixty days written notice of
26 intent to cancel. The notice of dismissal or discharge shall
27 only be given upon a good faith determination that just cause
28 exists, and the notice shall be given in writing, signed by the
29 medical director, if any, and the administrator of the facility
30 or program. In an emergency situation only such notice as is
31 reasonable under the circumstances is required.

32 *m.* A description of the facility's or program's policies
33 and procedures for handling grievances between the provider and
34 residents.

35 *p.* A statement that if a resident dies or through illness,

1 injury, or incapacity is precluded from becoming a resident
2 under the terms of the contract before occupying the living
3 unit, or precluded from commencing a continuing care services
4 program under the terms of the contract, the contract is
5 automatically rescinded and the resident or the resident's
6 legal representative shall receive a full refund of all
7 payments of money or transferred property to the facility
8 or program, except those costs specifically incurred by the
9 facility or program at the request of the resident or program
10 enrollee and set forth in writing in a separate addendum,
11 signed by both parties to the contract.

12 Sec. _____. Section 523D.6, subsection 2, Code 2024, is
13 amended to read as follows:

14 2. *Cancellation.* The contract required by this section
15 shall state the terms under which the contract can be canceled
16 by the provider, ~~or~~ the resident, or a program enrollee,
17 including a statement of the refund rights of a resident,
18 or a program enrollee, and shall include a completed,
19 easily detachable form in duplicate, captioned "Notice
20 of Cancellation", as an attachment, in ten point boldface
21 type, containing the following information and statements in
22 substantially the following form and language:

23 NOTICE OF CANCELLATION

24

25 Date contract was executed.

26

27 Date disclosure statement was provided

28 to resident or program enrollee.

29 You may rescind and cancel your contract, without any penalty
30 or obligation, within three business days of the date the
31 contract was executed or within thirty days after the date
32 you received the disclosure statement required by Iowa Code
33 section 523D.3, whichever is later. You are not required to
34 move into the facility or commence continuing care services
35 from the program before the expiration of this cancellation

1 period. However, if you do, the provider may retain the
2 reasonable value of care and services actually provided to you,
3 the resident, prior to your vacating the provider's facility
4 or terminating continuing care services from the program. If
5 you cancel this contract and you have already moved into the
6 provider's facility, you must vacate your living unit within
7 ten days after receipt by the provider of your cancellation
8 notice.

9 If you cancel this contract, any payments of money or
10 transfers of property you made to the provider must be returned
11 as soon as reasonably possible by the provider following
12 receipt by the provider of your cancellation notice, and any
13 security interest arising out of the transaction is canceled,
14 except that, as stated above, the provider may retain the
15 reasonable value of care and services actually provided to you
16 prior to your vacating the provider's facility or terminating
17 continuing care services from the program.

18 To cancel this contract, mail by certified mail or hand
19 deliver a signed and dated copy of this cancellation notice
20 or any other written notice clearly indicating your intent to
21 cancel the contract, or send a telegram, to (name
22 of provider) at (address of provider's place of
23 business). Your cancellation is effective upon mailing by
24 certified mail, when transmitted by telegraph, or when actual
25 notice is given to the provider, whichever is earlier.

26 I hereby cancel this contract.

27

28 (Date)

29

30 (Resident's signature)

31 Sec. _____. Section 523D.7, subsection 1, paragraphs a and b,
32 Code 2024, are amended to read as follows:

33 a. Enters into a contract to provide continuing care or
34 senior adult congregate living services ~~at a facility~~ without
35 having first delivered a disclosure statement meeting the

H-8028 (Continued)

1 requirements of this chapter to the person contracting for
2 continuing care or senior adult congregate living services and
3 to the person's personal representative if one is appointed by
4 the person.

5 *b.* Enters into a contract to provide continuing care or
6 senior adult congregate living services ~~at a facility~~ with a
7 person who has relied on a disclosure statement which contains
8 any untrue statement of a material fact or omits to state a
9 material fact necessary in order to make the statements made,
10 in light of the circumstances under which they are made, not
11 misleading.>

12 2. Title page, line 3, by striking <sellors.> and inserting
13 <sellors, continuing care retirement facilities, and continuing
14 care retirement programs.>

15 3. By renumbering as necessary.

By LOHSE of Polk

H-8028 FILED FEBRUARY 20, 2024

HOUSE FILE 2402

H-8029

- 1 Amend House File 2402 as follows:
- 2 1. Page 2, line 12, by striking <Require> and inserting
3 <Allow>
- 4 2. Page 2, line 13, by striking <required> and inserting
5 <billable>
- 6 3. Page 2, line 17, by striking <Require> and inserting
7 <Allow>
- 8 4. Page 2, line 18, by striking <required> and inserting
9 <billable>
- 10 5. Page 2, by striking lines 33 and 34 and inserting
11 <organization to respond within five business days from receipt
12 of a request for authorization for a PMIC placement, if the
13 certificate of need and independent assessment have been
14 received in a timely manner.>
- 15 6. Page 3, line 5, by striking <Require> and inserting
16 <Allow>
- 17 7. Page 3, line 6, by striking <ninety> and inserting
18 <sixty>
- 19 8. Page 3, line 7, after <thereafter.> by inserting <A
20 PMIC shall submit a care plan to the managed care organization
21 within thirty days of the admission.>
- 22 9. Page 3, after line 26 by inserting:
23 <Sec. ____ . HAWKI PROGRAM — BENEFITS INCLUDED IN QUALIFIED
24 CHILD HEALTH PLAN — REVIEW. The department of health
25 and human services shall review the benefits included in a
26 qualified child health plan under the Hawki program and shall
27 specifically address the inclusion of applied behavior analysis
28 services as a covered benefit. The department shall report the
29 findings of the review to the general assembly by December 1,
30 2024.>
- 31 10. Title page, line 1, after <to> by inserting <behavioral
32 health services for children including>
- 33 11. By renumbering as necessary.

By WILZ of Wapello

H-8029 (Continued)

H-8029 FILED FEBRUARY 20, 2024

HOUSE FILE 2551

H-8030

1 Amend House File 2551 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 478.16, Code 2024, is amended to read
5 as follows:

6 **478.16 Electric transmission lines — federally registered
7 planning authority transmission plans.**

8 1. Development and investment in high-voltage transmission
9 is urgently needed to ensure the reliable, adequate, secure,
10 and stable delivery of electricity to consumers. To ensure
11 reliable electric service to the people of Iowa as a matter
12 of public policy, it is the intent of the general assembly
13 to express a preference for further investment in Iowa
14 transmission infrastructure.

15 ~~1.~~ 2. As used in this section, unless the context otherwise
16 requires:

17 *a.* "Electric transmission line" means a high-voltage
18 electric transmission line located in this state with a
19 capacity of one hundred kilovolts or more and any associated
20 electric transmission facility, including any substation or
21 other equipment located in this state.

22 *b.* "Electric transmission line project" means a project
23 planned and approved in the final, utility board approved plans
24 of the midwest independent system operator or southwest power
25 pool to be owned, operated, and sited in this state.

26 ~~b.~~ *c.* "Electric transmission owner" means an individual or
27 entity who, as of July 1, 2020, owns and maintains an electric
28 transmission line that is required for rate-regulated electric
29 utilities, municipal electric utilities, and rural electric
30 cooperatives in this state to provide electric service to the
31 public for compensation.

32 ~~c.~~ *d.* "Incumbent electric transmission owner" means any of
33 the following, which may be formed, located, or headquartered
34 in any state:

35 (1) A public utility or a municipally owned utility that

1 owns, operates, and maintains an electric transmission line in
2 this state.

3 (2) An electric cooperative corporation or association or
4 municipally owned utility that owns an electric transmission
5 facility in this state and has turned over the functional
6 control of such facility to a federally approved authority.

7 (3) An "electric transmission owner" as defined in paragraph
8 "b".

9 ~~d.~~ e. "Landowner" means the same as defined in section
10 478.2.

11 ~~e.~~ f. "Municipally owned utility" means a "city utility"
12 as defined in section 362.2, or an "electric power agency" as
13 defined in section 390.9 ~~which~~ that is comprised solely of
14 cities or solely of cities and other political subdivisions.

15 ~~2.~~ 3. An If ninety percent of the right of way length,
16 or net acreage in the case of a substation, of the electric
17 transmission line project is exclusively owned or controlled
18 by an incumbent transmission owner at the time of approval
19 of the electric transmission line project in a federally
20 registered planning authority transmission plan, an incumbent
21 electric transmission owner has the right to construct,
22 own, and maintain an electric transmission line project
23 that has been approved for construction in a the federally
24 registered planning authority transmission plan and which
25 that directly connects to an electric transmission facility
26 owned by the incumbent electric transmission owner. Where a
27 proposed electric transmission line would connect to electric
28 transmission facilities owned by two or more incumbent electric
29 transmission owners, each incumbent electric transmission owner
30 whose facility connects to the electric transmission line
31 has the right to construct, own, and maintain the electric
32 transmission line individually and equally. If an incumbent
33 electric transmission owner declines to construct, own, and
34 maintain its portion of an electric transmission line that
35 would connect to electric transmission facilities owned by

1 ~~two or more incumbent electric transmission owners, then the~~
2 ~~other incumbent electric transmission owner or owners that~~
3 ~~own an electric transmission facility to which the electric~~
4 ~~transmission line connects has the right to construct, own, and~~
5 ~~maintain the electric transmission line individually. Prior~~
6 to the utilities board approving an electric transmission line
7 project included in the federally registered planning authority
8 transmission plan, the applicant shall provide to the board
9 evidence that the applicant exclusively owns or controls ninety
10 percent of the right of way length needed to construct the
11 line or, in the case of substations, ninety percent of the
12 net acreage. The evidence shall be based on and calculated
13 on the basis of legal descriptions in recorded instruments of
14 right of way or property exclusively owned or controlled by
15 the applicant, who will develop, own, and operate the electric
16 transmission line project. The board shall verify and confirm
17 that the electric transmission line project will fit within the
18 right of way exclusively controlled or owned with no additional
19 right of way needed. If an additional private or public right
20 of way or property is needed, the right of way length, or
21 net acreage in the case of substations, shall not qualify as
22 exclusively owned or controlled by the applicant.

23 3. ~~If an electric transmission line has been approved for~~
24 ~~construction in a federally registered planning authority~~
25 ~~transmission plan, and the electric transmission line is~~
26 ~~not subject to a right of first refusal in accordance with~~
27 ~~the tariff of a federally registered planning authority,~~
28 ~~then within ninety days of approval for construction, an~~
29 ~~incumbent electric transmission owner, or owners if there~~
30 ~~is more than one owner, that owns a connecting electric~~
31 ~~transmission facility shall give written notice to the board~~
32 ~~regarding whether the incumbent electric transmission owner~~
33 ~~or owners intend to construct, own, and maintain the electric~~
34 ~~transmission line. If the incumbent electric transmission~~
35 ~~owner or owners give notice of intent to construct the electric~~

~~1 transmission line, the incumbent electric transmission owner
2 or owners shall follow the applicable franchise requirements
3 pursuant to this chapter. If the incumbent electric
4 transmission owner or owners give notice declining to construct
5 the electric transmission line, the board may determine whether
6 another person may construct the electric transmission line.~~

7 4. For projects where an election for which a right to
8 construct an electric transmission line has been made under
9 this section, all of the following cost accountability measures
10 shall apply:

11 a. Within thirty days after the issuance of a franchise
12 pursuant to this chapter for the electric transmission line,
13 the incumbent electric transmission owner or owners shall
14 provide to the board an estimate of the cost to construct the
15 electric transmission line.

16 b. Until construction of the electric transmission line
17 is complete, the incumbent electric transmission owner or
18 owners shall provide a quarterly report to the board, which
19 shall include an updated estimate of the cost to construct the
20 electric transmission line and an explanation of changes in the
21 cost estimate from the prior cost estimate.

22 5. This section shall not modify the authority of the
23 board under this chapter, the rights of landowners under this
24 chapter, or the requirements, rights, and obligations relating
25 to the construction, maintenance, and operation of electric
26 transmission lines pursuant to this chapter.

27 6. This section shall not apply to an electric transmission
28 line to be placed underground that has not been approved for
29 construction in a federally registered planning authority
30 transmission plan.

31 7. The board shall adopt rules pursuant to chapter 17A to
32 administer this section.

33 Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate
34 importance, takes effect upon enactment.

35 Sec. 3. RETROACTIVE APPLICABILITY. The provisions of this

H-8030 (Continued)

1 Act shall apply retroactively to July 1, 2020.>

By MOMMSEN of Clinton

H-8030 FILED FEBRUARY 20, 2024

HOUSE FILE 2551

H-8032

- 1 Amend House File 2551 as follows:
- 2 1. Page 4, after line 3 by inserting:
- 3 <8. An incumbent electric transmission owner who exercises
- 4 the right of first refusal pursuant to this section shall
- 5 utilize local, skilled labor for the construction of an
- 6 electric transmission line project.>
- 7 2. Page 4, line 4, by striking <8.> and inserting <9.>

By BAGNIEWSKI of Polk

H-8032 FILED FEBRUARY 20, 2024

HOUSE FILE 2618

H-8031

1 Amend House File 2618 as follows:

2 1. Page 1, after line 26 by inserting:

3 <Sec. _____. Section 256.146, Code 2024, is amended by adding
4 the following new subsection:

5 NEW SUBSECTION. 25. Adopt rules under chapter 17A that
6 require an individual to obtain an advanced dyslexia specialist
7 endorsement under subsection 21 prior to obtaining a reading
8 specialist endorsement.>

9 2. Page 2, after line 26 by inserting:

10 <Sec. _____. APPLICABILITY. The following applies to
11 individuals who apply to the board of educational examiners for
12 a reading specialist endorsement on or after the effective date
13 of this Act:

14 The section of this Act enacting section 256.146, subsection
15 25.>

16 3. Title page, line 2, after <program> by inserting <and
17 teacher licensing>

18 4. Title page, line 3, by striking <and>

19 5. Title page, line 5, after <level> by inserting <, and
20 including applicability provisions>

21 6. By renumbering as necessary.

By STECKMAN of Cerro Gordo

H-8031 FILED FEBRUARY 20, 2024



[HF 2248](#) – Robbery, Statute of Limitations (LSB5426HV)
 Staff Contact: Molly Kilker (515.725.1286) molly.kilker@legis.iowa.gov
 Fiscal Note Version – New

Description

[House File 2248](#) extends the statute of limitations for robbery in the first degree under Iowa Code section [711.2](#) from three years to five years after the commission of the offense.

Background

Under Iowa Code section [802.3](#), for any felony except for those enumerated in Iowa Code section [802.1](#) (murder), [802.2](#) (sexual abuse — first, second, or third degree), [802.2A](#) (incest), [802.2B](#) (other sexual offenses), [802.2C](#) (kidnapping), [802.2D](#) (human trafficking), [802.2E](#) (sexual abuse — fourth degree), or [802.10](#) (DNA profile of accused), an indictment or information for a felony must be found within three years after the commission of the offense.

Robbery in the first degree is a Class B felony, which is punishable by confinement for up to 25 years. Under Iowa Code section [902.12](#), this offense carries a mandatory minimum term. A person commits robbery in the first degree when, while perpetrating a robbery, the person purposely inflicts or attempts to inflict serious injury or is armed with a dangerous weapon.

In FY 2023, 24 individuals were convicted of robbery in the first degree under Iowa Code section 711.2.

Assumptions

- The following will not change over the projection period: charge, conviction, and sentencing patterns and trends; prisoner length of stay (LOS); revocation rates; plea bargaining; and other criminal justice system policies and practices.
- A delay of six months is assumed from the effective date of this Bill to the date of first entry of affected offenders into the correctional system.
- Marginal costs for county jails cannot be estimated due to a lack of data. For purposes of this analysis, the marginal cost for county jails is assumed to be \$50 per day.

Correctional Impact

The correctional impact of expanding the existing statute of limitations for robbery in the first degree from three years to five years cannot be estimated due to a lack of data. **Figure 1** shows estimates for sentencing to State prison, parole, probation, or community-based corrections (CBC) residential facilities; LOS in months under those supervisions; and supervision marginal costs per day for Class B felonies. Refer to the Legislative Services Agency (LSA) memo addressed to the General Assembly, [Cost Estimates Used for Correctional Impact Statements](#), dated January 16, 2024, for information related to the correctional system.

Figure 1 — Sentencing Estimate and Length of Stay

Conviction Offense Class	Percent Ordered to State Prison	FY 2023 Avg LOS in Prison (All Releases)	Marginal Cost Per Day	Percent Ordered to Probation	FY23 Field Avg LOS on Probation	Avg Cost Per Day on Probation	Percent Sentenced to CBC Residential Facility	Marginal Cost CBC Per Day	Percent Ordered to County Jail	Marginal Cost Per Day Jail	FY23 Field Avg LOS on Parole	Marginal Cost Per Day Parole
B Felony (Persons)	95.2%	132.1	\$24.94	9.7%	53.3	\$ 7.67	2.1%	\$ 20.00	45.5%	\$ 50.00	26.7	\$ 7.67

Minority Impact

House File 2248 extends the statute of limitations for robbery in the first degree from three years to five years and may disproportionately impact Black individuals if trends remain constant. Of the 24 individuals convicted in FY 2023 of first-degree robbery under Iowa Code section 711.2, 25.0% were White, 66.7% were Black, and 8.3% were of other races. Iowa’s population is 89.8% White, 4.4% Black, and 5.8% other races. Refer to the LSA memo addressed to the General Assembly, [Minority Impact Statement](#), dated January 16, 2024, for information related to minorities in the criminal justice system.

Fiscal Impact

House File 2248 extends the statute of limitations for first-degree robbery, and the fiscal impact cannot be estimated due to a lack of data. The average State cost per offense for one Class B felony conviction ranges from \$16,100 to \$55,200. The estimated impact to the State General Fund includes operating costs incurred by the Judicial Branch, the Indigent Defense Fund, and the Department of Corrections (DOC). The cost would be incurred across multiple fiscal years for prison and parole supervision.

Sources

Department of Corrections
Criminal and Juvenile Justice Planning, Department of Management
Legislative Services Agency

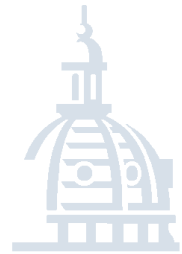
/s/ Jennifer Acton

February 19, 2024

Doc ID 1445366

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

www.legis.iowa.gov



[HF 2268](#) – Medicaid, Refunds and Offsets (LSB5556HV)
Staff Contact: Eric Richardson (515.281.6767) eric.richardson@legis.iowa.gov
Fiscal Note Version – New

Description

[House File 2268](#) limits any post-payment review of claims paid under either Medicaid fee-for-service (FFS) or managed care administration to 24 months from the date of payment unless the claim involves fraud or misrepresentation. In addition, any provider overpayment identified for which 24 months or more have elapsed since the date of payment of the claim shall not be subject to repayment or to offset against future reimbursement of claims by the provider, and any improper payment identified through a review may be resubmitted by the provider as a claims adjustment. The Bill does not apply to retroactive Medicaid cost settlements or rate changes based on a Medicaid or Medicare cost report.

The Bill takes effect upon enactment.

Background

Iowa Code section [249A.42](#) allows an administrative action to recover a provider overpayment within a period of five years from the date an overpayment was incurred, which would be changed in the Bill to 24 months for instances of overpayment that do not involve fraud or misrepresentation.

Assumptions

- The Department of Health and Human Services (HHS) will be required to return the federal share of overpayments to the federal government regardless of collection of overpayments from providers.
- Managed care organizations (MCOs) will make administrative efforts for any recoveries within the 24-month window in the Bill, if enacted, and the Bill will not cause an increase in capitation rate payments to the MCOs.
- Post-payment review does not apply to retroactive Medicaid cost settlements or rate changes based on a Medicaid or Medicare cost report.
- According to the HHS, the fiscal impact will fall solely upon State Medicaid's FFS program at a cost of approximately \$535,000 annually.
- The Bill takes effect upon enactment; however, the impact to the HHS is estimated to begin in FY 2025.
- The State fiscal impact will include increased costs to the General Fund Medical Assistance (Medicaid) appropriation.

Fiscal Impact

House File 2268 is estimated to increase costs to the State Medicaid program by approximately \$535,000 annually due to lost recoveries, beginning in FY 2025.

Source

Department of Health and Human Services

/s/ Jennifer Acton

February 20, 2024

Doc ID 1447008

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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